

Exhibit A



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December 18, 2023

***Settlement Communication Subject to
FRE 408 and State Rules of Evidence***

BY ELECTRONIC MAIL
CONFIRMATION OF RECEIPT EMAIL REQUESTED

By Email (bingham.kimberly@epa.gov)

Kimberly Bingham
Chief, Chemical Safety and Land Enforcement Branch
United States Environmental Protection Agency, Region 4
Atlanta Federal Center
61 Forsyth Street
Atlanta, Georgia 30303-8960

**Re: Next Steps Regarding EPA's Notice of Potential Violations and Settlement Discussions,
Alabama Power Company, Plant Barry Ash Pond – Bucks, Alabama
Alabama Power Company's Response to Your December 5, 2023 Correspondence.**

Dear Ms. Bingham:

On behalf of Alabama Power Company, I am writing to respond to your December 5, 2023, letter to Susan B. Comensky, Vice President of Environmental Affairs, Alabama Power Company concerning the U.S. Environmental Protection Agency's ("EPA") interest in engaging in settlement discussions with Alabama Power concerning certain coal combustion residuals ("CCR") matters at Plant Barry. Thank you for your letter.

As noted in our discussions with Ms. Redleaf Durbin on December 5, 2023, Alabama Power is committed to compliance with the federal CCR regulations at Plant Barry and its other plants in the State of Alabama. As discussed with Ms. Redleaf Durbin, while Alabama Power is confident that Plant Barry fully complies with the CCR regulations, this letter confirms that Alabama Power will agree to conduct good faith negotiations with EPA to begin discussions towards an agreed resolution of CCR issues at Plant Barry. Just as EPA is committed to working with

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Alabama Power, Alabama Power is committed to working with EPA to confirm compliance with the federal CCR regulations at Plant Barry.

During our conversation with Ms. Redleaf Durbin, EPA and Alabama Power agreed that an effective first step in our discussions would be to schedule a meeting as soon as mid- to late-January 2024. As soon as we can finalize a date and time, technical teams from EPA and Alabama Power can meet, analyze EPA's engineering and geological concerns, and discuss potential methods and approaches to resolve any remaining CCR matters at Plant Barry.

If you have any questions about this letter, please let me know. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Douglas A. Henderson". The signature is fluid and cursive, with the first name "Douglas" being more prominent.

Douglas A. Henderson

CC: Joan Redleaf Durbin, EPA (redleaf-durbin.joan@epa.gov)
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